



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 13, 2016

ITEM NUMBER: PH-4

SUBJECT: PLANNING APPLICATION PA-13-18 A2 (ZA-16-14) FOR A SECOND AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW LIVE ENTERTAINMENT FOR AN EXISTING 10,000-SQUARE FOOT MICROBREWERY (BARLEY FORGE) LOCATED AT 2957 RANDOLPH AVE

DATE: JUNE 3, 2016

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: RYAN LOOMIS, ASSOCIATE PLANNER

FOR FURTHER INFORMATION CONTACT: RYAN LOOMIS, AICP (714) 754-5608
ryan.loomis@costamesaca.gov

DESCRIPTION

Planning Application PA-13-18 A2 (ZA-16-14) is the second amendment of Conditional Use Permit PA-13-18, requesting live entertainment for an existing 10,000 square foot microbrewery with a tasting room (Barley Forge). The restaurant is not located within 200 feet of residentially zoned properties. The proposed live entertainment will consist of live music acts for patrons visiting the tasting room. Typical acts proposed include jazz and blues combos; acoustic and traditional musicians; duos/trios; and singer/songwriters. Many of these musical acts will include amplified sound; however all music will occur indoors. The live entertainment will be free of charge, and will cease by 11 p.m., daily.

APPLICANT OR AUTHORIZED AGENT

Marice DePasquale, is the authorized agent for the property owner, Alice Willer-Zelden.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions of approval.

BACKGROUND

Project Site/Environs

Barley Forge is an existing microbrewery located approximately midblock on the west side of Randolph Avenue between Baker Street and Bristol Street. The site contains an existing 19,600 industrial building with surface parking. The microbrewery is located in the rear 10,000-square foot portion of the building. As part of the small beer manufacturer, the floor plan includes a 980-square foot tasting room which is ancillary to the primary microbrewery use. The property shares a common driveway with 2967 Randolph Avenue to the north, which contains a one-story, 8,000 square-foot industrial building occupied by various industrial uses. A total of 45 on-site parking spaces are indicated on the site plan.

The property is zoned MG (General Industrial District) and has a General Plan land use designation of Light Industry. The property is located within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan; however, the requested change to provide live entertainment does not require master plan approval and does not activate any of the provisions in the urban plan.

The following are the originally approved hours of operation.

USE	DAY	EXISTING HOURS
Microbrewery	Daily	5:00 a.m. – 3:00 p.m.
Tasting Room	Monday – Thursday	5:00 p.m. – midnight
	Friday	5:00 p.m. – 1:00 a.m.
	Saturday	11:00 a.m. – 1:00 a.m.

Prior Land Use Approvals

Planning Application PA-13-18 A1 (ZA-15-20)

On September 11, 2015, the applicant requested an amendment to the existing conditional use permit (PA-13-18) to allow daily lunchtime hours for the tasting room. The following proposed hours of operation were approved by the Zoning Administrator on September 11, 2015.

USE	DAY	EXISTING HOURS	PROPOSED HOURS
Microbrewery	Daily	5:00 a.m. – 3:00 p.m.	No Change
Tasting Room	Monday – Thursday	5:00 p.m. – midnight	11:30 a.m. – midnight
	Friday	5:00 p.m. – 1:00 a.m.	11:30 a.m. – 1:00 a.m.
	Saturday	11:00 a.m. – 1:00 a.m.	No Change

PROJECT DESCRIPTION

Planning Application PA-13-18 A2 (ZA-16-14) is a second amendment to the existing conditional use permit to allow live entertainment. The proposed live entertainment will

consist of live music acts for patrons visiting the tasting room. Typical acts proposed include jazz and blues combos; acoustic and traditional musicians; duos/trios; and singer/songwriters. Many of these musical acts will include amplified sound, however all music will occur indoors. The live entertainment will be free of charge, and will cease by 11 p.m., daily.

The provision for live entertainment located more than 200 feet of a resident zone requires a minor conditional use permit. Originally, the project was to be processed through the Zoning Administrator; however staff has received public comments during the public comment period with concerns over the live music. As such, the Assistant Development Services Director has requested that Planning Commission review the project for final decision.

ANALYSIS

Parking

City Code requires that eating/drinking establishments be parked at a rate of 10 spaces per 1,000 square feet. Barley Forge is an existing microbrewery with tasting room, and requires 10 parking spaces for the subject tasting room and an additional five parking spaces for the brewing operations based on the number of employees, for a total demand of 15 parking spaces. Based on 18 parking spaces allocated to the subject tenant space, an adequate number of parking spaces has been provided to support the use. No floor area will be added to accommodate the live music. Because the proposed use is ancillary to the brewery and tasting room, it will not increase the floor area nor the intensity of the use. Additional parking, therefore, is not required.

Noise

Noise impacts as a result of the live entertainment are not anticipated. Barley Forge is located more than 200 feet from residentially zoned properties located north of the site (across Baker Street), as shown in figure below. The property is located within an industrial area with numerous industrial buildings north of the site, which should attenuate any noise impacts occurring from the site. The live entertainment will also be conducted entirely within the interior portion of the existing tasting room, and is conditioned to occur behind closed doors. As a result, there should be no impacts on area residents because the music should be buffered by surrounding buildings, as well as by the building itself. Staff also has contacted the Police Department to confirm if any concerns exist related to the proposed use. Based on feedback from Police and Code Enforcement, there are no concerns related to the proposed use.

The property is more than 200 feet away from the residentially-zoned property across Baker Street, and abuts industrially developed properties to the north, south, east (across Randolph Ave) and west. Surrounding uses include warehouses, night club, art gallery (DAX), and auto related uses. These adjacent buildings should help buffer any potential sound emanating from the proposed use. The live music acts are conditioned to be indoors only, and are intended to be background ambience music for the tasting room, and will not be considered a primary use, such as a concert. Consequently, staff believes providing an acoustical study is not required.

Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses. The proposed use, as conditioned, will not generate adverse noise, traffic, or parking impacts that are unusual for industrially-zoned properties. Conditions of approval require noise sources be confined indoors and be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.

CONDITION #2: Music shall not be audible beyond the area under control of the licensee.

CONDITION #3: The live entertainment shall at all times be conducted within the building. While live entertainment is underway, the doors of the business are to remain closed.

CONDITION #6: The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.

The Police Department does not have any objection to the use. The Police Department has reviewed the proposed use and has no objections to the approval of the application.

No adverse parking impacts are anticipated. Barley Forge is an existing microbrewery. Because the request for live entertainment does not increase the floor area or intensity of the use, additional parking is not required.

GENERAL PLAN CONFORMANCE

The proposed live entertainment at Barley Forge is permitted in the MG zone subject to approval of a minor conditional use permit. Subject to conditions, the proposed use is in conformance with the 2000 General Plan. Specifically the project complies with the following Land Use Objectives:

LU-1A.1 Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

The live entertainment request is consistent with Land Use Objective LU-1A.1, in that it will enhance and promote the operation of the existing business. Barley Forge is an existing business within the SoBECA Urban Plan. One of the objectives of the SoBECA Area Plan is to develop a full array of land use types and structures, including reuse of existing structures, to create an active city life and enhance business activities. The SoBECA Urban Plan is an area with a growing blend of eclectic uses, including breweries, artisan studios, small-business entrepreneurs, and unique food and beverage experiences. The existing brewery is encouraged by the SoBECA Area Plan, and the ability to provide live entertainment will enhance the business and provide a unique food and beverage experience.

LU-1F.1 Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks) from the encroachment of incompatible or potentially disruptive land uses and/or activities

The project is more than 200 feet from residentially zone property and is buffered by existing industrial buildings and, therefore, should have minimal noise impacts to the surrounding neighborhood. The live music acts are designed to be background music and provide ambience for the tasting room, and will not be considered a primary use, such as a concert. As such, staff believes an acoustical study is not required. Conditions of approval prohibit music outdoors and requires that music not be audible beyond the control of the licensee.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Existing Facilities of the CEQA Guidelines.

LEGAL REVIEW

The draft resolutions have been reviewed and approved as to form by the City Attorney's Office.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. Mailed notice. A public notice was mailed to all property owners within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)
2. On-site posting. A public notice was posted on each street frontage of the project site.

3. Newspaper publication. A public notice was published once in the Daily Pilot newspaper.

As of June 3, 2016, staff has received two public comment letters, which are attached in Attachment 5.

ALTERNATIVES

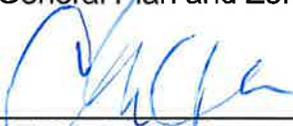
Resolution of approval or denial are attached. The denial of the request for live entertainment shall include denial findings by the Planning Commission, as expressed at the public hearing.

CONCLUSION

Approval of the second amendment to conditional use permit will allow live entertainment as an ancillary use to take place at the existing Barley Forge microbrewery located at 2957 Randolph Avenue. The project satisfies the required findings for the requested conditional use permit and is consistent with the intent of the General Plan and Zoning Code.



RYAN LOOMIS, AICP
Associate Planner



CLAIRE FLYNN, AICP
Asst. Development Services Director

- Attachments:
1. Location Map, Zoning Map, and Radius Map
 2. Site Photos
 3. Authorized Agent's Project Description
 4. Draft Planning Commission Resolutions
 5. Public Comments
 6. Plans

cc: Director of Economic & Development / Deputy CEO
Sr. Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
File (2)

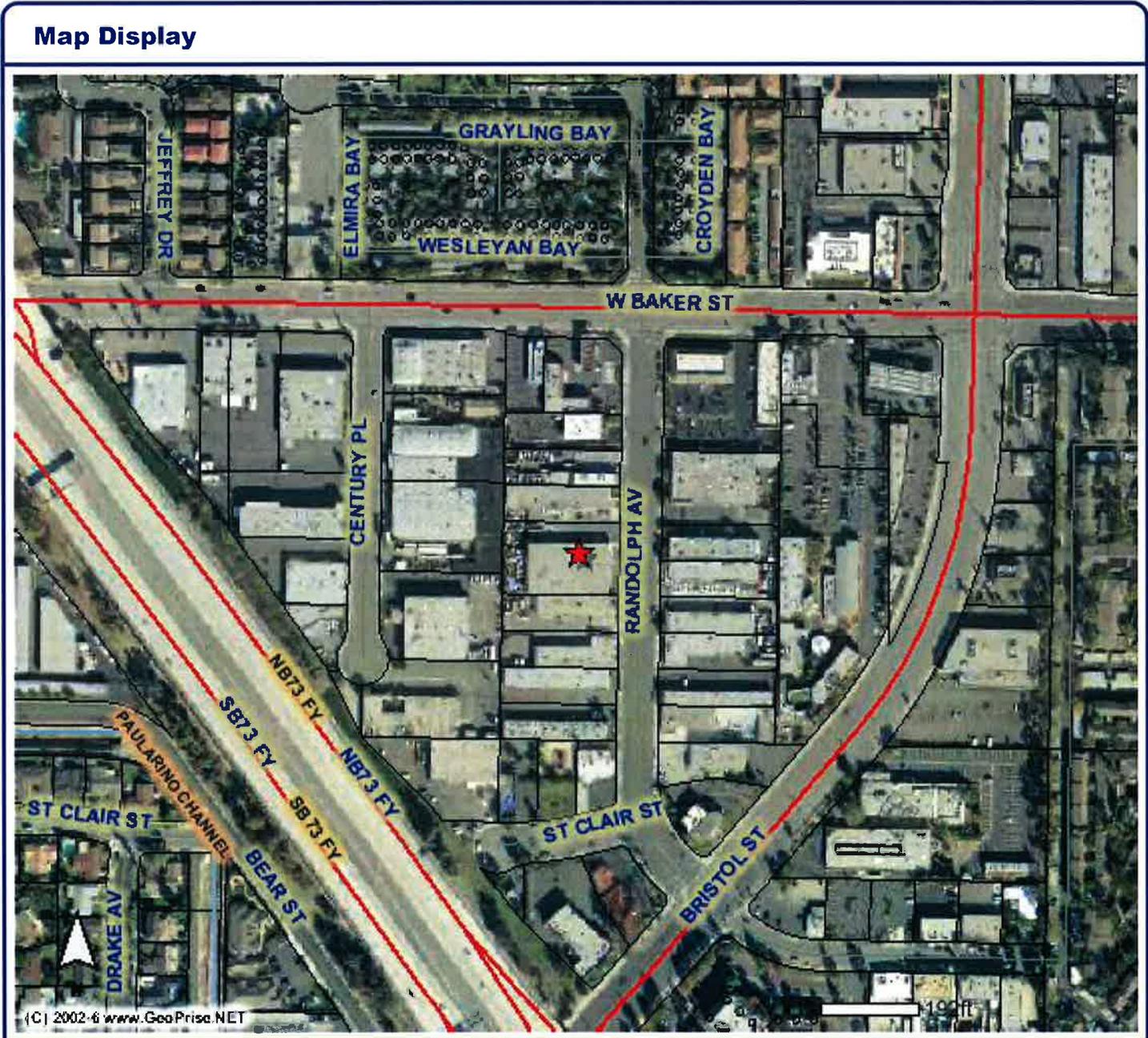
Applicant: Marice DePasquale
3609 W. MacArthur Boulevard #812
Santa Ana, CA 92704

Owner: Alice Willer-Zelden
1000 Pacific Coast Highway, #7
Huntington Beach, CA 92648



Legend

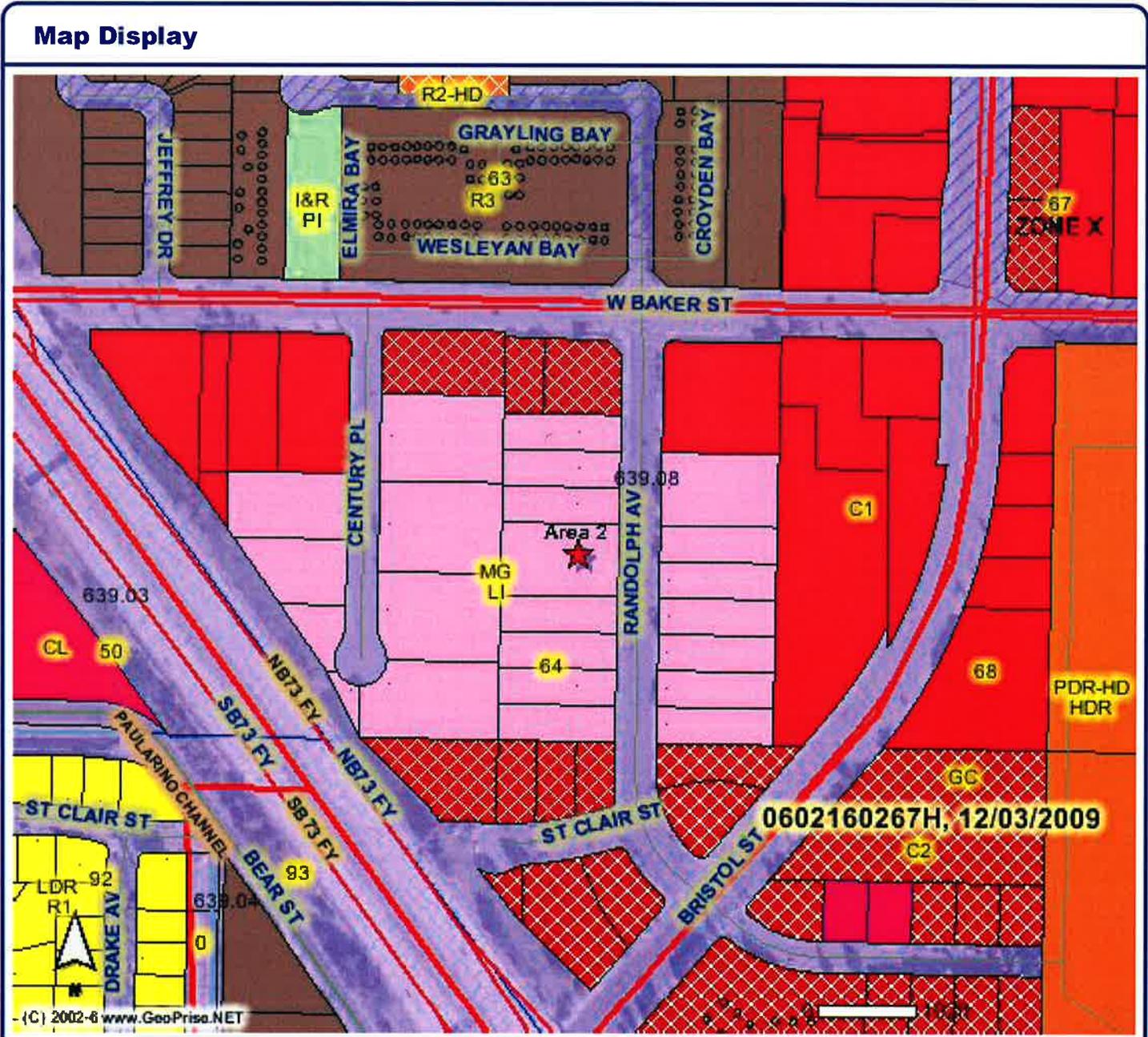
Address Points	Freeway	Collector	Freeway (cont)	Major Newport BLVD Primary (cont)	SECONDARY Hydrology Channels
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Legend

	Address Points		Newport BLVD		Parcel Lines		C1-S
	Freeway		Primary		City Boundary		C2
	Roads		SECONDARY		Hydrology		CL
	Collector Freeway		Channels		Water Ways		I&R
	Major (cont)		Street Names		Zoning		I&R-S
			Street Centerlines		AP		MG
					C1 (cont)		MP
							P
							PDC (cont)



SE, INC.
RE ST #7
CH CA 92651

caseinc.com





Barley Forge Brewing Co. Request to Allow Live Music

Background

On November 12, 2013 the Costa Mesa Planning Commission unanimously approved a CUP for Barley Forge Brewing Company to be Costa Mesa's first craft brewery and tasting room.

Situation

Barley Forge occupies a 10,000 square-foot space in a 16,000 square-foot building. Of Barley Forge's 10,000 square-foot space, over 80% is devoted exclusively to brewing operations and production facilities. The production areas are occupied predominantly by brewing equipment, walk-in coolers, warehouse space, keg storage, offices, and an employee locker room and restroom.

Barley Forge has 18 unreserved/in-common parking spaces under its lease, and the complex in which the building is located has a total of 45 unreserved/in-common parking spaces.

The brewery is housed in-side an industrial space – concrete tilt up building – with one point of entry/exit for patrons (however there is also a large roll-up door in the rear of the building with a side door that has a panic bar, easily accessible to patrons in the event of emergency). The building is surrounded on all four sides by other industrial/commercial uses, with the 73 freeway nearby. Across Baker Street there are residential uses.

Request

Barley Forge is requesting that they be allowed to have live music acts, as background entertainment for patrons in the already operating tasting room. These would NOT be events for which admission would be charged or tickets sold. Nor would patrons be charged a cover charge. The acts would merely be for ambiance and the enjoyment of patrons in the tasting room.

The typical types of acts that would be scheduled include: jazz and blues combos, acoustic and traditional musicians, duos/trios and singer/songwriters. While amplifying the sound would be necessary, it would not be done in a manner as to generate a noise issue or nuisance for the surrounding businesses or residents across Baker. Barley Forge is specifically requesting that their CUP be modified to allow for:

- Live music acts, limited to playing in the tasting room
- Amplified sound, not to exceed city noise standards
- Allowed during evening hours, with a condition that any live music cease by 11:00 p.m.
- A condition patrons would not be charged a cover, required to purchase a ticket or pay a fee for live music acts

Community Outreach

Barley Forge has an ongoing dialogue with the residents across Baker, primarily with Pentridge Cove. Many of these neighbors are patrons of the brewery and we are keeping them up to date on our efforts to add live music. Thus far, we have not had any opposition given the conditions we outline above.

RESOLUTION NO. PC-16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-13-18 A2 (ZA-16-14) LOCATED AT 2957 RANDOLPH AVENUE

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Marice DePasquale, authorized agent on behalf of the property owner, Alice Willer-Zelden, requesting approval of a second amendment to conditional use permit to allow live entertainment consisting of live music acts for patrons visiting the tasting room, including but not limited to jazz and blues combos; acoustic and traditional musicians; duos/trios; and singer/songwriters. Many of these musical acts will include amplified sound; however all music will occur indoors. The live entertainment will be free of charge, and will cease by 11 p.m., daily; and

WHEREAS, a duly noticed public hearing held by the Planning Commission on June 13, 2016 with all persons having the opportunity to speak for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-13-18 A2 (ZA-16-14) with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-13-18 A2 (ZA-16-14) and upon applicant's compliance with each and all of the conditions in Exhibit "B", and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 13th day of June, 2016.

Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on June 13th, 2016 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Claire L. Flynn, Secretary
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:

Finding: The proposed use is compatible and harmonious with uses on surrounding properties.

Facts in Support of Findings: As proposed and conditioned, there should be no noise to the surrounding neighborhood and uses.

Finding: Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.

Facts in Support of Findings: The proposed use will not have any effect on the safety and compatibility of design at the subject site. The proposed live entertainment will take place indoors and will be ancillary to the existing brewery and tasting room, so no increase in the intensity of the use is anticipated.

Finding: The project, as conditioned, is consistent with the General Plan.

Facts in Support of Findings: The proposed use is permitted in the MG zone, subject to approval of a minor conditional use permit and is therefore consistent with the General Plan and Zoning Code. Specifically, the proposed use is consistent with Land Use Objective LU-1F.1 – to protect existing neighborhoods, in that there should be no noise impacts to the nearby residential neighborhoods. In addition, the live entertainment request is consistent with Land Use Objective LU-1A.1, in that it will enhance and promote the operation of the existing business.

Finding: The planning application is for a project-specific case and does not establish a precedent for future development.

Facts in Support of Findings: Approval will apply to this project-specific location. Conditions have been included that are specific to the proposed project.

- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

Finding: The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: The use, as conditioned, is not anticipated to have any negative effects on the surrounding properties. Specifically, noise effects to the surrounding properties will be avoided by keeping all live entertainment indoors and ancillary to the brewery use. The property is more than 200 feet away from the residentially-zoned property across Baker Street, and abuts industrially developed properties to the north, south, east (across Randolph Ave) and west. Surrounding uses include warehouses, night club, art gallery (DAX), and auto related uses.

Finding: Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Findings: Potential noise impacts have been considered and the project will not have a negative impact on the surrounding neighborhood because the live entertainment will be conducted within the building and will be ancillary to the brewery/tasting room use. The property is located within an industrial area with numerous industrial buildings north of the site, which will help attenuate any noise impacts occurring from the site to the closest residents who are north of Baker Street.

Finding: Granting the minor conditional use permit will not allow a use, density, or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

Facts in Support of Findings: The Light Industrial land use designation is intended to permit a wide range of industrial uses, including breweries. The majority of the businesses within the area are general industrial uses such as manufacturing, warehousing, fitness studio, nightclub, brewery, and auto-related uses. The existing brewery is buffered from sensitive land uses, in that it is surrounded on all four sides by industrial zoned properties. The proposed live entertainment will take place indoors and will be ancillary to the existing brewery and tasting room, so no increase in the intensity of the use is anticipated. Also, the property is also located within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan, which encourages these types of uses; however, the proposed project does not require master plan approval and does not activate any of the provisions in the urban plan since the request does not involve a new development project.

- C. The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

D. The project is exempt from Chapter IX, Article 12, Transportation Demand Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. The use shall be limited to the type of operation described in this staff report: Live entertainment in the form of live music acts, including jazz and blues combos; acoustic and traditional musicians; duos/trios; and singer/songwriters. Amplified sound is acceptable; however all music will occur indoors. The live entertainment will be free of charge, and will cease by 11 p.m., daily. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
2. Music shall not be audible beyond the area under control of the licensee and/or permittee.
 3. The live entertainment shall at all times be conducted within the building. While live entertainment is underway, the doors of the business are to remain closed.
 4. The applicant shall contact Code Enforcement for a public entertainment permit prior to providing any live entertainment. Contact Code Enforcement (714-754-5623) for application information.
 5. There shall be no room or designated area reserved for the exclusive use of designated persons or "private club members."
 6. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 7. There shall be no dance floor provided at the business.
 8. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
 9. The parking lot shall be posted with signs directing customers and employees to use consideration when entering their cars and leaving the parking lot.
 10. Customer and employee parking shall occur on-site and not within surrounding streets. If parking problems arise, the operator shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, providing free on-site valet service.
 11. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service (RBS) training with a California Department of Alcoholic Beverage Control approved provider. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.

12. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
13. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
14. The conditions of approval and ordinance or code provisions of planning application PA-13-18 A2 (ZA-16-14) shall be blueprinted on the face of the site plan as part any plan check submittal package.
15. The applicant is reminded that all conditions of approval of PA-13-18 and PA-13-18 A1 still apply.
16. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of (1) City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.

RESOLUTION NO. PC-16__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING CONDITIONAL USE PERMIT PA-13-18 A2 (ZA-16-14) LOCATED AT 2957 RANDOLPH AVENUE

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Marice DePasquale, authorized agent on behalf of the property owner, Alice Willer-Zelden, requesting approval of a second amendment to conditional use permit to allow live entertainment consisting of live music acts for patrons visiting the tasting room, including but not limited to jazz and blues combos; acoustic and traditional musicians; duos/trios; and singer/songwriters. Many of these musical acts will include amplified sound; however all music will occur indoors. The live entertainment will be free of charge, and will cease by 11 p.m., daily; and

WHEREAS, a duly noticed public hearing held by the Planning Commission on June 13, 2016 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 13, 2016, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** PA-13-18 A2 (ZA-16-14 with respect to the property described above.

PASSED AND ADOPTED this 13th day of June, 2016.

Robert L. Dickson Jr., Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
 - 1. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties.
 - 2. The proposed use is not consistent with the General Plan or Redevelopment Plan.

- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit amendment in that the proposed use is not compatible with developments in the same general area. Granting the request will be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to properties or improvements within the immediate neighborhood.

- C. The Costa Mesa Planning Commission has denied Planning Application PA-13-18 A2 (ZA-16-14). Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

LOOMIS, RYAN

Subject: FW: Barley Forge - Ap No. ZA-16-14 (PA-13-18 A2)

From: Leyna Belcher [<mailto:leynabelcher@gmail.com>]
Sent: Monday, May 09, 2016 8:56 PM
To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>
Subject: Barley Forge - Ap No. ZA-16-14 (PA-13-18 A2)

To Whom it may concern,

I received a notice that Barley Forge is requesting live entertainment DAILY through 11pm. I live in Pentridge Cove off Randolph & Bristol and I am EXTREMELY concerned with this request. I actually heard the live music played at Barley Forge last Thursday and it could be heard with my windows closed and was played well into the night.

It seems the city continuously ignores its homeowners. Thursday through Sat I have to listen to the deep base at Mansion and now Barley Forge is requesting live music all week long. There are many of us in Pentridge Cove that are professionals and find 11pm very late during the week for live music. Would you like to hear loud live music until 11pm M-Thursday at your home?????

I strongly recommend the city does NOT approve this request and for once think of its local homeowners, renters and tax payers. You cannot continue to let business build out through the SOBECA area and refuse to consider the people who live in very close proximity to these businesses. Please keep in mind the homes were built here first. Please respect us.

Thank you,
Leyna Belcher
714-654-0474

LOOMIS, RYAN

Subject: FW: ZA - 16-14 (PA-13-18 A2) 2957 Randolph Avenue (Barley Forge)

From: David Smith [mailto:onedjsmith@gmail.com]

Sent: Wednesday, May 11, 2016 11:06 AM

To: PLANNING COMMISSION <PLANNINGCOMMISSION@ci.costa-mesa.ca.us>

Cc: Kitty <Kitty@kmslogisticscompany.com>; Wesley Boothe <WBoothe@optimumpm.com>

Subject: ZA - 16-14 (PA-13-18 A2) 2957 Randolph Avenue (Barley Forge)

Commissioners,

Per the above application for live music at Barley Forge in the SOBECA District: I would support this application for live music at Barley Forge with the following stipulations:

1. An Acoustical Study should be ordered to assure that the music late night is not heard in the residential neighborhoods north of Baker (similar to a study and recommendations that was ordered when the Commissary was approved). This application is for different kind of music from the "challenging" music with base beats that we are experiencing in our neighborhood from other clubs, however, currently Barley Forge is in an industrial building with no roof insulation and minimum wall insulation or acoustical "buffers". Our Pentridge Cove I neighborhood would want assurances that this new venue is not adding to the challenges associated with live music - this study, by a registered acoustical engineer, would assure that.
2. The Planning Commission should use this application to re-look at parking challenges in the District, and in particular, those challenges caused by shared parking agreements. These agreements are not working, causing neighborhood-wide parking challenges, and dangerous situations such as valet parking attendants and others running across the street, disputes between neighboring businesses, and overall challenges of business patrons parking in remote locations. In general, shared parking agreements do not work.
3. The Planning Commission should use this application to consider the traffic challenges and speeds on Baker Street, some of which comes from the bad planning of parking and circulation and business success in the area. Pentridge Cove I has petitioned before for a lighted crosswalk and/or traffic light at Randolph Street and Baker to allow safe access to the SOBECA district as well as to slow down the traffic on Baker Street. Please consider again this modest modification to increase the safety of crossings at Randolph Street.

I am not opposed to the success and development of businesses in the SOBECA district, I am simply opposed to bad planning that creates challenges instead of solving challenges of traffic, noise and a nuisance environment in our residential neighborhoods. With proper planning and restrictions put in place, I look forward to the SOBECA district becoming a vibrant and exciting destination of which the City and the neighborhoods can be proud - a destination that when mentioning to friends about the vibrancy and creative businesses in the area, I don't get the come-back, "oh, I would go there but every-time I do it is just too much of a parking and traffic hassle so I avoid the place".

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